

## NEW LAW SPECIFIES ACKNOWLEDGMENT WORDING

Assembly Bill 361, which takes effect **January 1, 2006**, dictates specific acknowledgment wording for California Notaries.

It requires that any certificate of acknowledgment used by a California Notary on a document that will be filed within the state conform to the wording of the statutory "all-purpose" certificate (Civil Code Section 1189 [a]) rather than *substantially* conform, as was the rule before.

Section 1189 of the Civil Code is amended to read:

1189. (a) Any certificate of acknowledgment taken within this state **shall** be in the following form:

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_ (**here insert name and title of the officer**), personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

This means that we will no longer accept the words "the undersigned" in lieu of the officer's name and title after December 31, 2005. We will allow a 30 day grace period before rejecting documents for recording that do not comply with the new law.